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# After 15 Witnesses, Defense Ends in Navy Spy Trial

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SAN FRANCISCO, June 19 — The defense in the espionage and tax fraud trial of Jerry A. Whitworth ended its case today after presenting 15 witnesses over four days.

The witnesses have testified of Mr. Whitworth's patriotism, loyal friendship and conservative political views in an attempt to show that it would not be in his character to steal secret Navy cryptographic data and pass it to a Soviet spy ring as the Government charges the former Navy radioman did.

Other witnesses have been used to attack the credibility of the prosecution's

star witness against Mr. Whitworth, John A. Walker Jr. Mr. Walker's testimony against Mr. Whitworth was crucial to the Government's case because, as the admitted head of a Soviet spy ring, he was the only person who could directly implicate Mr. Whitworth in passing stolen materials and receiving money for them.

## Whitworth Expressed Concern

Today, Warren R. Foster, a longtime friend of Mr. Whitworth from La Mesa, Calif., said that Mr. Whitworth was interested in the libertarian political philosophy and the writings of Ayn Rand, whose novels espouse a philosophy of individualism and a limited role for the Federal Government.

Mr. Foster said that Mr. Whitworth telephoned him after Mr. Walker's arrest in Maryland in May 1965. Mr. Whitworth said that he was himself under investigation and expected to be arrested and was concerned that Mr. Foster's children would see it on television, Mr. Foster testified.

Mr. Walker pleaded guilty to espionage charges in Baltimore last October and is awaiting sentence. The Government contends that he paid Mr. Whitworth, a former Navy colleague of Mr. Walker, \$332,000 for the stolen Navy data and that Mr. Whitworth did not pay taxes on the money.

Under cross-examination by Leida Schoggen, an assistant United States Attorney, Mr. Foster said that in the same telephone conversation Mr. Whitworth broke down in tears and said, "I didn't think it would come to this."

Earlier in the trial a prosecution witness, Celia Vanderpool, testified that Mr. Whitworth also called her after Mr. Walker's arrest in a very agitated state.

## Prosecutors See Case Aided

Prosecutors believe such testimony will aid their case by indicating that Mr. Whitworth knew he was involved in illegal activities with Mr. Walker.

Defense attorneys have attempted to indicate through their evidence that Mr. Whitworth may have believed that the data he is charged with stealing was being passed to an ally of the United States. Mr. Walker has testified that he never directly told Mr. Whitworth that the material he was being paid for was being bought by the Soviet Union.

One prosecution witness, John D. Barron, a senior editor for Reader's Digest who is the author of two books on the K.G.B., the Soviet intelligence agency, testified that K.G.B. agents sometimes use a "false flag operation" in which the source of military data is induced to think the materials are actually going to someone else.

Because Mr. Whitworth did not take the stand to testify in his own defense, the Federal District Court jury has heard no direct testimony as to his knowledge or beliefs about the destination of the materials.

Prosecutors briefly presented six rebuttal witnesses today and ended the presentation of their evidence in the case.